

Application No. 09/555,105

REMARKS/ARGUMENTS

Prior to this Reply to Office Action, claims 1-13 were pending in the present application. Through this Reply, Applicant has amended Claims 1 and 3. No claims have been added or canceled. Accordingly, following the entry of the present Amendment, Claims 1-13 will be pending in the present application.

The Examiner has rejected Claims 1 and 3 under 35 U.S.C. §112, second paragraph, as being indefinite. Applicant has amended Claims 1 and 3 to further clarify the claimed subject matter. Applicant submits that the claims, as amended, comply with 35 U.S.C. §112, second paragraph.

The Examiner has rejected Claims 1 and 3 under 35 U.S.C. §112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor, at the time the application was filed, had possession of the claimed invention. Applicant has amended Claims 1 and 3 to further clarify the claimed subject matter. Applicant submits that the claims, as amended, comply with 35 U.S.C. §112, first paragraph.

The Examiner has rejected Claims 1-3, and 7-10 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,991,922 to Banks (hereinafter "Banks '922"). The Examiner asserts that Banks '922 discloses a garment comprising conductive material which is connected to an electronic voltmeter for the purpose of displaying values to the wearer.

Applicant submits herewith a certified English translation of the foreign priority document. The foreign priority date for the present application is November 27, 1997. Applicant has previously forwarded a certified copy of the priority document to the U.S. Patent Office, and, as noted at page 1 of the Office Action Summary, the claim for foreign priority has been acknowledged and all certified copies of the priority documents have been received. Accordingly, Applicant submits that the claim for foreign priority has been made and perfected, and that the foreign priority date antedates the 35 U.S.C. §102(e) date of Banks '922.

The Examiner asserts that Banks '922 may still be relied upon since the filing date of Banks CIP, U.S. Patent No. 5,715,536 (hereinafter "Banks '536") precedes the Applicant's

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foreign priority date. Applicant submits that Banks '536 does not teach or suggest all of the limitations of the present invention, as claimed. Particularly, Banks '536 does not teach or suggest an electronic circuit operable to dispel an electromagnetic signal. Banks '536 discloses only a grounding cord (72) for discharging accumulated static electricity from the garment. The portion of Banks '922 which the Examiner relies upon to disclose such an electronic circuit is the voltmeter (86) is not disclosed in Banks '536.

The Examiner has rejected Claims 4-6 and 11-13 under 35 U.S.C. §103(a) as being unpatentable over Banks as applied to Claim 1. Similarly as described above, Applicants submit that the priority date of the present application antedates the 102(e) date of the Banks '922 reference. Furthermore, Banks '922 neither teaches or suggests a garment including an electronic circuit operable to dispel an electromagnetic signal. Accordingly, applicant submits that Claims 4-6 and 11-13, which depend (directly or indirectly) from Claim 1, are likewise allowable for at least the same reasons as Claim 1.

Based upon the foregoing, Applicant believes that all pending claims are in condition for allowance and such disposition is respectfully requested. In the event that a telephone conversation would further prosecution and/or expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,
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